

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
DANVILLE DIVISION**

ELDRIDGE ROOSEVELT MEEKS, III,

Plaintiff,

Civil Action No. 4:20-cv-00029

v.

THE CITY OF DANVILLE

and

**JACOB AMOS, LARRY DWAYNE LAND,
JOHN PULLEY, JONATHAN EPPS,
TODD HAWKINS AND WILLIAM SHIVELY,**

in their individual capacities,

and

JOHN DOES 1 – 10,

Defendants.

AFFIDAVIT OF W. CLARKE WHITFIELD, JR.

My name is W. Clarke Whitfield, Jr. and I currently serve as City Attorney for the City of Danville, Virginia. I have been employed in this role for the past 16 years.

In my role as City Attorney, it has come to my knowledge that Mr. Eldridge R. Meeks, III has filed a Complaint naming as defendants the City of Danville and several law enforcement officers employed with the Danville Police Department. The Complaint alleges various tort claims under Virginia common law in the fifth, sixth and seventh causes of action, including claims of negligence of the City and the named officers.

I am familiar with the provisions of Section 15.2-209 of the Code of Virginia, which states,

in pertinent part, that "[e]very claim cognizable against any county, city, or town for negligence shall be forever barred unless the claimant or his agent, attorney, or representative has filed a written statement of the nature of the claim, which includes the time and place at which the injury is alleged to have occurred, within six months after such cause of action accrued."

The City's records have been examined and, based on that examination, I affirm that no notice pursuant to Section 15.2-209 of the Code of Virginia was contained in the electronic or paper records of the City of Danville regarding the state law tort claims of civil battery, intentional infliction of emotional distress, or gross, willful, wanton and reckless negligence.

Given under my hand this 17th day of June, 2020.


W. CLARKE WHITFIELD, JR.

COMMONWEALTH OF VIRGINIA.


City/County of Danville, to-wit:

Subscribed and sworn to before me, a Notary Public in and for the foregoing jurisdiction, that W. CLARKE WHITFIELD, JR. appeared before me, that I am confident of his true identity as the Affiant of this document, and that I was present at the time of the signing and notarization on this 17th day of June, 2020.

My commission expires: 12/31/2023.

My Registration Number is: 273901.




Notary Public